

## REMARKS

Reconsideration and withdrawal of the outstanding rejections are respectfully solicited in view of the foregoing amendments and the following remarks.

Claims 1-54 are pending, with Claims 1, 14, 27 and 40 being independent. Claims 2, 15, 28, 41, and 45 have been amended for reasons unrelated to patentability to improve their form.

The Examiner has returned a copy of the Information Disclosure Citation Form from the October 28, 2003 Information Disclosure Statement, and has indicated his consideration of all of the cited documents other than the two PCT documents submitted with the October 28, 2003 Information Disclosure Statement by crossing through these two PCT documents and writing a note adjacent these two PCT documents stating "non-published papers". Applicants assume that the Examiner has crossed out these PCT documents so they will not appear on the face of the patent because he does not believe they were published. But since these documents are relevant to the Examiner's examination of the references cited therein, Applicants respectfully request that the Examiner: 1) consider these two PCT documents if he has not already done so, and 2) state for the record in the next Official Action that he has considered these two PCT documents.

Claims 1-3, 11-16, 24-29, 37-42, and 50-54 are rejected under 35 U.S.C. § 102 over European Patent Document No. 0 945 864 A2 (Ando et al.). Claims 4, 5, 10, 17, 18, 23, 30, 31, 36, 43, 44, and 49 are rejected under 35 U.S.C. § 103 over the patent to Ando et al. in view of European Patent Document No. 0 915 469 A2 (Asai et al.). Claims 6-9, 19-22, 32-35, and 45-48 are rejected under 35 U.S.C. § 103 over the patent to Ando et al. in view of U.S. Patent No. 5,440,401 (Parulski, et al.).

These rejections are respectfully traversed for the following reasons.

Independent Claim 1 relates to a moving image management apparatus for management of plural moving images recorded on a storage medium in correspondence with one or plural representative images. The apparatus comprises a unit configured to record a representative

image representing an arbitrary section or the whole of a moving image, a unit configured to record information indicating the section or the whole of the moving image represented by the representative image in correspondence with the representative image, and a unit configured to record information indicating a position of an image as a base of the representative image in correspondence with the representative image. In the case the representative image is designated by a user, it is interpreted that the section or the whole of the moving image represented by the representative image is selected.

By this arrangement, any frame within an arbitrary section or the whole of a moving image can be used as a base of a representative image of that section or the whole of the moving image.

In contrast, the patent to Ando et al. is not understood to disclose or suggest a unit configured to record information indicating a position of an image as a base of the representative image in correspondence with the representative image, as recited by Claim 1.

The Office Action cites column 4, lines 37-43 and column 7, lines 4-37 of this patent to show this feature. However, these portions of the Ando et al. patent are understood to teach that 1) an in-point and an out-point indicating both ends of a section in a moving image stream can be designated by a user, and 2) a frame image of the designated in-point is registered as a representative image of the section. Accordingly, the Ando et al. patent is merely understood to record information (in-point and out-point) indicating a section of a moving image and is not understood to record information for indicating the position of an image as a base of the representative image, as does the present invention. Therefore, the patent to Ando et al. is not understood to use an arbitrary frame within an arbitrary section or the whole of a moving image, as a base of a representative image, as does the present invention.

Since the Ando et al. patent is not understood to disclose or suggest all the features of independent Claim 1, the Office Action is not understood to have established anticipation of

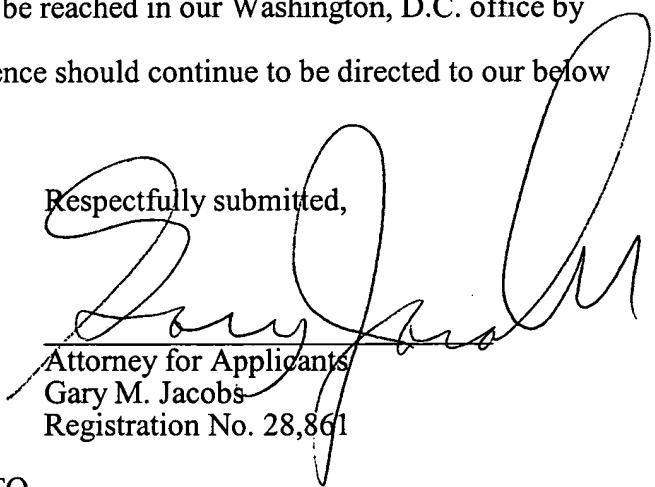
Claim 1 over this patent. And since independent Claim 14 recites a second recording unit configured to record information indicating a position of an image as a base of the representative image in correspondence with the representative image, and since independent Claims 27 and 40 are method claims that approximately correspond to apparatus Claims 1 and 14, respectively, independent Claims 14, 27, and 40 are allowable for the same, similar, or corresponding reasons.

The dependent claims are allowable for the reasons given for the independent claims and because they recite features that are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
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